
HOUSE BILL 2686

State of Washington 60th Legislature 2008 Regular Session

By Representatives Green, Campbell, Appleton, Hasegawa, Lias, Loomis, Barlow, VanDeWege, and Seaquist

Read first time 01/15/08. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to home care agencies; and adding new sections to
2 chapter 74.39A RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 74.39A RCW
5 to read as follows:

6 The department shall not contract with any home care agency, as
7 defined in RCW 70.127.010, that has been found by the department of
8 labor and industries or a court of competent jurisdiction to have
9 violated any provision of chapters 39.12, 49.46, and 49.48 RCW, unless
10 the department finds that denying a contract would seriously inhibit
11 the state's ability to provide vulnerable and elderly residents with
12 quality community-based home care. In order for the department to
13 contract with an otherwise ineligible agency pursuant to this chapter,
14 the department must determine that the agency's violation or violations
15 involved: (1) Very few employees; (2) a de minimus amount of wages per
16 affected employee; and (3) a first-time or incidental offense. The
17 department shall not allow an exception, in any case, when the agency's
18 violation or violations would have resulted in material financial gain
19 to the agency.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.39A RCW
2 to read as follows:

3 (1) A home care agency licensed under chapter 70.127 RCW shall not
4 subcontract with any agency or individual to provide care to a client.

5 (2) A home care agency shall not employ, or be reimbursed for, a
6 family member of a client who provides care for the client.

7 (3) For the purposes of this section, "family member" includes a
8 parent, child, sibling, aunt, uncle, or cousin of the client.

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